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Attorneys for Defendant: Otto Trucking LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING
LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**JOINDER IN UBER SUPPLEMENTAL
BRIEF IN OPPOSITION TO WAYMO'S
MOTION IN LIMINE NO. 14 TO
EXCLUDE EVIDENCE OF
LEVANDOWSKI'S FAILURE TO
COOPERATE [DKT. 2042]**

Date : November 28, 2017
Courtroom: 8-19th Floor
Judge: Hon. William H. Alsup
Trial: October 10, 2017

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT Defendant Otto Trucking LLC (“Otto Trucking”) hereby
3 joins and adopts Co-Defendants Uber Technologies, Inc.’s (“Uber”) and Ottomotto LLC’s
4 (“Ottomotto”) Supplemental Brief in Opposition to Waymo’s Motion *In Limine* No. 14 to Exclude
5 Evidence of Levandowski’s Failure to Cooperate:

6 1. On September 7, 2017, Waymo served its Motion *In Limine* No. 14 on defendants.

7 2. On September 13, 2017, Defendants Uber and Ottomotto served its Opposition to
8 Waymo’s Motion *In Limine* No. 14 to Exclude Evidence of Levandowski’s Failure to Cooperate
9 and supporting papers on Waymo.

10 3. Pursuant to parties agreement and the Court’s orders, Waymo filed the combined
11 motion *in limine* and opposition. Dkt. No. 1551, 1552.

12 4. On September 28, 2017, the Court issued its Final Pretrial Order, deferring ruling
13 on Waymo’s Motion *In Limine* No. 14 “pending the deposition of Attorney Angela Padilla next
14 week.” Dkt. No. 1885.

15 5. On October 16, 2017, the Court issued an order permitting any party to supplement
16 any currently-pending motion by noon on October 23, 2017, with any response to be filed by
17 October 25, 2017. Dkt. No. 2009.

18 6. On October 25, 2017, Uber and Ottomotto filed a Supplemental Brief in Opposition
19 to Waymo’s Motion *In Limine* No. 14. Dkt. No. 2092-4, 2093 (redacted version).

20 7. Otto Trucking joins and adopts, as if set out verbatim herein, the arguments,
21 authorities, contentions, and prayers of Co-Defendants Uber and Ottomotto in their Supplemental
22 Brief in Opposition to Waymo’s Motion *In Limine* No. 14 to Exclude Evidence of Levandowski’s
23 Failure to Cooperate for the reason that said response is equally applicable to Otto Trucking in the
24 above-captioned matter.

25 8. Otto Trucking joins and adopts Co-Defendants’ Supplemental Brief in Opposition
26 to Waymo’s Motion *In Limine* No. 14 to best serve justice and avoid unnecessary or duplicative
27 effort, time, or expense to the parties involved.

1 Dated: October 25, 2017

Respectfully submitted,

2 By: /s/ Neel Chatterjee
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18 *Attorneys for Defendant: Otto Trucking LLC*

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document including all of its attachments with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on **October 25, 2017**. I further certify that all participants in the case are registered CM/ECF users and that service of the publicly filed documents will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed on **October 25, 2017**.

/s/ Neel Chatterjee
NEEL CHATTERJEE